

REMARKS

The Examiner's attention to the present application is noted with appreciation, as is the indication of the allowability of the subject matter of claims 6-12.

The Examiner rejected claims 1-5 and 13-20 under 35 U.S.C. §§ 102(b) or 103(a) as unpatentable over Berssen et al. ("Berssen") alone or in combination with Tiefenthaler. The rejection is traversed, particularly as to the claim as amended.

Berssen states that its "measuring result is considerably improved by a computational averaging procedure" (col. 2, lines 44-45; emphasis added), which implies that a mere averaging of scalar results values is occurring. In the present invention, entire spectra are averaged (page 9, line 24) prior to measurements being effected. Accordingly, the independent claims have been amended to clarify this distinction.

Being filed herewith is a Petition for Extension of Time to May 24, 2006, with the appropriate fee. Authorization is given to charge payment of any additional fees required, or credit any overpayment, to Deposit Acct. 13-4213. A duplicate of this paper is enclosed for accounting purposes.

An earnest attempt has been made to respond to each and every ground of rejection advanced by the Examiner. However, should the Examiner have any queries, suggestions or comments relating to a speedy disposition of the application, the Examiner is invited to call the undersigned.

Reconsideration and allowance are respectfully requested.

Respectfully submitted,

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